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WASHINGTON MUTUAL BANK

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ACTUATE CORPORATION, a Delaware
corporation,

Plaintiff,

vs.

WASHINGTON MUTUAL BANK, a
Washington corporation,

Defendants.

CASE NO. CV08-2918 SI

Hon. Susan Illston
Courtroom 10

CERTIFICATE OF INTERESTED
PARTIES

TO THE CLERK OF THE UNITED STATES DISTRICT COURT, NORTHERN
DISTRICT OF CALIFORNIA:

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

The undersigned, counsel of record for Defendant Washington Mutual Bank,
erroneously sued and served herein as Washington Mutual Bank, certifies that said

listed party has a direct and pecuniary interest in the outcome of this case. This representation is made to enable the Court to evaluate possible disqualification or recusal.

Dated: July 11, 2008